

DECLARATION IN COPENDING APPLICATION CONTAINING  
ADDITIONAL SUBJECT MATTER - PAGE 1 OF 2

ATTORNEY'S DOCKET  
NO.: R-98-5670-U.1-CIP

I, the below-named inventor, hereby declare that:  
My residence, post office address and citizenship are as stated below next to my name;  
that I verily believe I am the original, first and sole inventor if only one name is listed below,  
or a joint inventor if plural inventors are named below, of the invention entitled:

**"Flexible Mixing Mat And Method Of Use"**

which is described and claimed in the attached specification;

that this application in part discloses and claims subject matter disclosed in my earlier filed  
pending application: U.S. Serial No. 09/365,630, filed August 2, 1999, and assigned to RALPH  
HEIDLER and WALTER RIDDLE (A Florida Partnership);

that I specifically acknowledge my duty to disclose material information as defined in 37 CFR  
§ 1.56(a) which occurred between the filing date of the prior application and the filing date  
of this continuation-in-part application which discloses and claims subject matter in addition  
to that disclosed in the prior application (37 CFR § 1.63(d)). I was aware of this duty before  
I signed the "Declaration And Power Of Attorney - Original Application," originally filed with  
the application.

that I acknowledge my duty to disclose information of which I am aware which is material to the  
examination of this application;

that I have reviewed and understand the contents of the specification, including the claims;  
that as to the subject matter of this application which is common to said earlier application, I  
do not know and do not believe that the same was ever known or used in the United States of  
America before my or our invention thereof or patented or described in any printed  
publication in any country before my or our invention thereof, or more than one year prior to  
said earlier application, or in public use or on sale in the United States of America more than  
one year prior to said earlier application;

that the common subject matter has not been patented or made the subject of an inventor's  
certificate issued before the date of said earlier application in any country foreign to the  
United States of America on an application filed by me or my legal representatives or assigns  
more than twelve months prior to said earlier application; and

as to applications for patents or inventor's certificate on the common subject matter filed in any  
country foreign to the United States of America, prior to said earlier application by me or my  
legal representatives or assigns,

(XX) no such applications have been filed, or

( ) such applications have been filed as follows:

EARLIEST FOREIGN APPLICATION(S), IF ANY, FILED WITHIN 12 MONTHS PRIOR TO SAID EARLIER APPLICATION

COUNTRY	APPLICATION NUMBER	DATE OF FILING (DAY, MO., YR.)	DATE OF ISSUE (DAY, MO., YR.)	PRIORITY CLAIMED UNDER 35 USC 119
				YES ( ) NO ( )
				YES ( ) NO ( )

ALL FOREIGN APPLICATION(S), IF ANY, FILED MORE THAN 12 MONTHS PRIOR TO SAID EARLIER APPLICATION


that as to the subject matter of this application which is not common to said earlier applica-  
tion, I do not know and do not believe that the same was ever known or used in the United  
States of America before my or our invention thereof or patented or described in any printed  
publication in any country before my or our invention thereof, or more than one year prior  
to this application, or in public use or on sale in the United States of America more than  
one year prior to this application;

that said non-common subject matter has not been patented or made the subject of an inventor's  
certificate issued before the date of this application in any country foreign to the United  
States of America on an application filed by me or my legal representatives or assigns more  
than twelve months prior to this application; and

as to applications for patents or inventor's certificate on the invention filed in any country  
foreign to the United States of America prior to this application by me or my legal  
representatives or assigns,

(XX) no such applications have been filed, or

( ) such applications have been filed as follows:

EARLIEST FOREIGN APPLICATION(S), IF ANY, FILED WITHIN 12 MONTHS PRIOR TO THIS APPLICATION

COUNTRY	APPLICATION NUMBER	DATE OF FILING (DAY, MO., YR.)	DATE OF ISSUE (DAY, MO., YR.)	PRIORITY CLAIMED UNDER 35 USC 119
				YES ( ) NO ( )
				YES ( ) NO ( )

ALL FOREIGN APPLICATION(S), IF ANY, FILED MORE THAN 12 MONTHS PRIOR TO THIS APPLICATION

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DECLARATION IN COPENDING APPLICATION CONTAINING  
ADDITIONAL SUBJECT MATTER - PAGE 2 OF 2

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NO.: R-98-5670-U.1-CIP

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (list name and registration no.)


George A. BODE  
Reg. No. 30,028

SEND CORRESPONDENCE TO: George A. Bode  
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2314 Broadway  
New Orleans, LA 70125-4128

DIRECT TELECOMMUNICATIONS TO:  
(name and telephone & fax numbers)  
George A. BODE  
Tele: (504) 861-8288  
Fax: (504) 866-6717

HEIDLER	Ralph	
<u>Family Name</u>	<u>First Given Name</u>	<u>Second Given Name</u>
Plant City	Florida	USA
<u>City</u>	<u>State or Foreign Country</u>	<u>Country of Citizenship</u>
702 W. M.L. King Boulevard	Plant City	Florida 33566
<u>Post Office Address</u>	<u>City</u>	<u>State &amp; Zip Code/Country</u>
<u>Family Name</u>	<u>First Given Name</u>	<u>Second Given Name</u>
<u>City</u>	<u>State or Foreign Country</u>	<u>Country of Citizenship</u>
<u>Post Office Address</u>	<u>City</u>	<u>State &amp; Zip Code/Country</u>
<u>Family Name</u>	<u>First Given Name</u>	<u>Second Given Name</u>
<u>City</u>	<u>State or Foreign Country</u>	<u>Country of Citizenship</u>
<u>Post Office Address</u>	<u>City</u>	<u>State &amp; Zip Code/Country</u>

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE OF INVENTOR 	SIGNATURE OF INVENTOR	SIGNATURE OF INVENTOR
DATE 7-11-00	DATE	DATE

Applicant or Patentee: Ralph HEIDLER Attorney's  
Serial or Patent No.: \_\_\_\_\_ Docket  
Filed or Issued: \_\_\_\_\_ No.: R-98-5670-U.1-CIP  
For: "Flexible Mixing Mat And Method Of Use"

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS (37 CFR 1.9(f) and 1.27(b)) - INDEPENDENT INVENTOR

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled same as "For" above, described in

- (X) the specification filed herewith.  
( ) application serial no. \_\_\_\_\_, filed \_\_\_\_\_.  
( ) patent no. \_\_\_\_\_, issued \_\_\_\_\_.

I have not assigned, granted, conveyed, or licensed and am under no obligation under contract or law to assign, grant, convey, or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern, or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:


- ( ) no such person, concern or organization.  
(X) persons, concerns or organizations listed below:\*

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27).

FULL NAME: RALPH HEIDLER and WALTER RIDDLE (A Florida Partnership)  
ADDRESS: 702 West Martin Luther King Blvd. Plant City, Florida 33566  
( ) INDIVIDUAL (X) SMALL BUSINESS CONCERN ( ) NON-PROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issued thereon, or any patent to which this verified statement is directed.

Ralph HEIDLER  
NAME OF INVENTOR NAME OF INVENTOR NAME OF INVENTOR  
  
Signature of Inventor Signature of Inventor Signature of Inventor  
7-11-00  
Date Date Date

Applicant or Patentee: Ralph HEIDLER Attorney's  
Serial or Patent No.: \_\_\_\_\_ Pocket No.: R-98-5670-U.1-CIP  
Filed or Issued: \_\_\_\_\_  
Title: "Flexible Mixing Mat And Method Of Use"

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS (37 CFR 1.9(f) and 1.27(c)) - SMALL BUSINESS CONCERN

I hereby declare that I am

- ( ) the owner of the small business concern identified below:  
(X) an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN: RALPH HEIDLER and WALTER RIDDLE (A Florida Partnership)

ADDRESS OF SMALL BUSINESS CONCERN: 702 West Martin Luther King Blvd.  
Plant City, Florida 33566

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled  
"Flexible Mixing Mat And Method Of Use"

by inventor(s) Ralph HEIDLER  
described in

- (X) the specification filed herewith  
( ) application serial no. \_\_\_\_\_, filed \_\_\_\_\_  
( ) patent no. \_\_\_\_\_, issued \_\_\_\_\_

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c), if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a non-profit organization under 37 CFR 1.9(e). \*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

FULL NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

( ) INDIVIDUAL ( ) SMALL BUSINESS CONCERN ( ) NON-PROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issued thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Walter RIDDLE

TITLE OF PERSON OTHER THAN OWNER Managing Partner

ADDRESS OF PERSON SIGNING 702 West Martin Luther King Blvd. Plant City, Florida 33566

SIGNATURE Walter A Riddle

DATE 7-11-00